

STATE OF WISCONSIN

Senate Journal

1986 March Special Session

WEDNESDAY, March 26, 1986

7:13 P.M.

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

By request of Senator Cullen, with unanimous consent, the prayer, pledge and roll call of the Regular Session will be applied to the March Special Session.

By request of Senator Roshell, with unanimous consent, the senate recessed until 7:42 P.M.

7:14 P.M.

RECESS

7:42 P.M.

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in:

Assembly Bill 1, Special Session

The senate reconvened.

By request of Senator Moen, with unanimous consent, the rules were suspended and **Assembly Bill 1, Special Session** was withdrawn from committee on Agriculture, Health and Human Services and taken up at this time.

Assembly Bill 1

Relating to: Wisconsin housing and economic development authority agricultural production loan guarantees and interest reductions; creating a farm mediation and arbitration program for resolution of disputes with creditors, creating a farm mediation and arbitration board; the homestead exemption from executions, liens and liability for debts; the proceeds from the sale of real property the taxes on which are delinquent; the income and franchise tax effects of the food security act; authorizing county land conservation committees to develop tree planting programs; authorizing the departments of natural resources and agriculture, trade and consumer protection to grant exemptions from certain laws; training and employment services for dislocated workers, including farmers; increasing an appropriation to the department of agriculture, trade and consumer protection to provide funds for the volunteer farm credit advisor program; property tax assessment and equalized valuation of agricultural land; specialty crops hearing; a motor fuel tax exemption; interest payments that may be included in calculating an income tax credit; student loans; and providing for a study, making an appropriation and granting rule-making authority.

Read a second time.

Senate amendment 1 offered by Senator George.

The question was: Adoption of senate amendment 1?

Senator Moen moved rejection of senate amendment

1.

The question was: Rejection of senate amendment 1?

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Bill 1

Relating to: Wisconsin housing and economic development authority agricultural production loan guarantees and interest reductions; creating a farm mediation and arbitration program for resolution of disputes with creditors, creating a farm mediation and arbitration board; the homestead exemption from executions, liens and liability for debts; the proceeds from the sale of real property the taxes on which are delinquent; the income and franchise tax effects of the food security act; authorizing county land conservation committees to develop tree planting programs; authorizing the departments of natural resources and agriculture, trade and consumer protection to grant exemptions from certain laws; training and employment services for dislocated workers, including farmers; increasing an appropriation to the department of agriculture, trade and consumer protection to provide funds for the volunteer farm credit advisor program; property tax assessment and equalized valuation of agricultural land; specialty crops hearing; a motor fuel tax exemption; interest payments that may be included in calculating an income tax credit; student loans; and providing for a study, making an appropriation and granting rule-making authority.

By committee on Rules, by request of Governor Anthony S. Earl.

Read first time and referred to committee on Agriculture, Health and Human Services.

By request of Senator Leean, with unanimous consent, senate amendment 1 was placed after senate amendment 18.

Senate amendments 2 and 3 offered by Senator Moen.

The question was: Adoption of senate amendment 2?

Senator Norquist raised the point of order that senate amendment 2 was not germane.

The chair ruled the point of order well taken.

Senator Moen appealed the ruling of the chair.

The question was: Shall the decision of the chair stand as the judgment of the senate?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Lee, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 18.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Leean, Lorman, McCallum, Moen, Rude, Stitt and Theno -- 15.

Absent or not voting -- None.

So the decision of the chair stands as the judgment of the senate.

The question was: Adoption of senate amendment 3?

Senator Cullen raised the point of order that senate amendment 3 was not germane.

The chair ruled the point of order well taken.

Senate amendment 4 offered by Senators Leean and Moen.

The question was: Adoption of senate amendment 4?

Senator Cullen raised the point of order that senate amendment 4 was not germane.

The chair ruled the point of order well taken.

Senate amendment 5 offered by Senator Feingold.

Senate amendment 1 to senate amendment 5 offered by Senators Czarnezki and Feingold.

The question was: Adoption of senate amendment 1 to senate amendment 5?

Adopted.

The question was: Adoption of senate amendment 5?

By request of Senator Lasee, with unanimous consent, senate amendment 5 was placed after senate amendment 7.

Senate amendment 6 offered by Senators Harsdorf and Rude.

The question was: Adoption of senate amendment 6?

Senator Cullen raised the point of order that senate amendment 6 was not germane.

The chair ruled the point of order well taken.

Senate amendment 7 offered by Senator Lorman.

The question was: Adoption of senate amendment 7?

Senator Cullen raised the point of order that senate amendment 7 was not germane.

The chair ruled the point of order well taken.

Senate amendment 2 to senate amendment 5 offered by Senator Lasee.

The question was: Adoption of senate amendment 2 to senate amendment 5?

Senator Czarnezki moved rejection of senate amendment 2 to senate amendment 5.

The question was: Rejection of senate amendment 2 to senate amendment 5?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 20; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Cullen, Czarnezki, Lee, Norquist, Otte, Plewa, Risser, Strohl, Ulichny and Van Sistine -- 12.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Leean, Lorman, McCallum, Moen, Roshell, Rude, Stitt and Theno -- 20.

Absent or not voting -- Senator Chvala -- 1.

So the motion did not prevail.

The question was: Adoption of senate amendment 2 to senate amendment 5?

Adopted.

The question was: Adoption of senate amendment 5?

Senator Strohl moved rejection of senate amendment 5.

The question was: Rejection of senate amendment 5?

The ayes and noes were demanded and the vote was: ayes, 6; noes, 27; absent or not voting, 0; as follows:

Ayes -- Senators Andrea, Cullen, Lee, Otte, Plewa and Strohl -- 6.

Noes -- Senators Adelman, Chilsen, Chvala, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Leean, Lorman, McCallum, Moen, Norquist, Risser, Roshell, Rude, Stitt, Theno, Ulichny and Van Sistine -- 27.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 5?
Adopted.

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By request of Senator Chvala, with unanimous consent, the journal showed that he would have voted "no" for rejection of senate amendment 2 to senate amendment 5.

Senate amendment 8 offered by Senators Engeleiter, Theno and Lorman.

The question was: Adoption of senate amendment 8?

Senator Cullen raised the point of order that senate amendment 8 was not germane.

The chair ruled the point of order not well taken.

The question was: Adoption of senate amendment 8? Adopted.

Senate amendment 9 offered by Senators Kreul, Engeleiter, Davis, Rude and Lasee.

The question was: Adoption of senate amendment 9?

Senator Cullen raised the point of order that senate amendment 9 was not germane.

The chair ruled the point of order well taken.

Senator Harsdorf appealed the ruling of the chair.

The question was: Shall the decision of the chair stand as the judgment of the senate?

The ayes and noes were required and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnecki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 19.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Leraan, Lorman, McCallum, Rude, Stitt and Theno -- 14.

Absent or not voting -- None.

So the decision of the chair shall stand as the judgment of the senate.

Senate amendment 10 offered by Senators Kreul, Lasee, Engeleiter and Rude.

The question was: Adoption of senate amendment 10?

Senator Cullen raised the point of order that senate amendment 10 was not germane.

The chair ruled the point of order well taken.

Senate amendment 11 offered by Senators Lorman, Engeleiter and Theno.

The question was: Adoption of senate amendment 11?

Senator Cullen raised the point of order that senate amendment 11 was not germane.

The chair ruled the point of order well taken.

Senate amendment 12 offered by Senators Engeleiter and Davis.

The question was: Adoption of senate amendment 12?

By request of Senator Engeleiter, with unanimous consent, senate amendment 12 was returned to the author.

Senate amendment 13 offered by Senator Leraan.

The question was: Adoption of senate amendment 13?

Senator Moen moved rejection of senate amendment 13.

The question was: Rejection of senate amendment 13?

The motion prevailed.

Senate amendment 14 offered by Senator Harsdorf.

The question was: Adoption of senate amendment 14?

Senator Czarnecki moved reconsideration of the vote by which senate amendment 8 was adopted.

Senator Strohl raised the point of order that senate amendment 14 was not germane.

The chair ruled the point of order well taken.

Senator Harsdorf appealed the ruling of the chair.

The question was: Shall the decision of the chair stand as the judgment of the senate?

The ayes and noes were required and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnecki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 19.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Leraan, Lorman, McCallum, Rude, Stitt and Theno -- 14.

Absent or not voting -- None.

So the decision of the chair shall stand as the judgment of the senate.

Senate amendment 15 offered by Senators Harsdorf.

The question was: Adoption of senate amendment 15?

Senator Cullen raised the point of order that senate amendment 15 was not germane.

The chair ruled the point of order well taken.

Senator Harsdorf appealed the ruling of the chair.

The question was: Shall the ruling of the chair stand as the judgment of the senate?

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The ayes and noes were required and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnecki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Strohl, Ulichny and Van Sistine -- 18.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Lekan, Lorman, McCallum, Rude, Stitt and Theno -- 14.

Absent or not voting -- Senator Roshell -- 1.

So the decision of the chair shall stand as the judgment of the senate.

Senate amendment 16 offered by Senators Stitt and Norquist.

The question was: Adoption of senate amendment 16?

Senate Moen moved rejection of senate amendment 16.

The question was: Rejection of senate amendment 16?

The motion did not prevail.

The question was: Adoption of senate amendment 16?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Chvala, Czarnecki, Davis, Ellis, Hanaway, Harsdorf, Helbach, Lasee, Lee, Lorman, McCallum, Norquist, Risser and Stitt -- 16.

Noes -- Senators Andrea, Cullen, Engeleiter, Feingold, George, Kincaid, Kreul, Lekan, Moen, Otte, Plewa, Roshell, Rude, Strohl, Theno, Ulichny and Van Sistine -- 17.

Absent or not voting -- None.

So the amendment failed to be adopted.

Senate amendment 17 offered by Senator Harsdorf.

The question was: Adoption of senate amendment 17?

Senator Moen moved rejection of senate amendment 17.

The question was: Rejection of senate amendment 17?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 13; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnecki, Feingold, George, Helbach, Kincaid, Kreul, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 20.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Lasee, Lekan, Lorman, McCallum, Rude, Stitt and Theno -- 13.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 18 offered by Senator George.

The question was: Adoption of senate amendment 18?

By request of Senator George, with unanimous consent, senate amendment 18 was returned to the author.

The question was: Rejection of senate amendment 18?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Cullen, Davis, Ellis, Engeleiter, Feingold, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lekan, Lorman, McCallum, Moen, Roshell, Rude, Strohl, Theno and Ulichny -- 21.

Noes -- Senators Adelman, Andrea, Chvala, Czarnecki, George, Lee, Norquist, Otte, Plewa, Risser, Stitt and Van Sistine -- 12.

Absent or not voting -- None.

So the motion prevailed.

Senator Plewa moved reconsideration of the vote by which senate amendment 16 was rejected.

Senate amendments 19, 20, 21, 22 and 23 offered by Senator Harsdorf.

The question was: Adoption of senate amendment 19?

Senator Cullen raised the point of order that senate amendment 19 was not germane.

The chair ruled the point of order well taken.

Senator Harsdorf appealed the ruling of the chair.

The question was: Shall the decision of the chair stand as the judgment of the senate?

The ayes and noes were required and the vote was: ayes, 22; noes, 10; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnecki, Feingold, George, Helbach, Kincaid, Kreul, Lee, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Theno, Ulichny and Van Sistine -- 22.

Noes -- Senators Chilsen, Davis, Engeleiter, Hanaway, Harsdorf, Lasee, Lekan, Lorman, Rude and Stitt -- 10.

Absent or not voting -- Senator Ellis -- 1.

So the decision of the chair shall stand as the judgment of the senate.

The question was: Adoption of senate amendment 20?

Senator Cullen raised the point of order that senate amendment 20 was not germane.

The chair ruled the point of order well taken.

Senator Harsdorf appealed the ruling of the chair.

The question was: Shall the decision of the chair stand as the judgment of the senate?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnetzki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 19.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Leraan, Lorman, McCallum, Rude, Stitt and Theno -- 14.

Absent or not voting -- None.

So the decision of the chair shall stand as the judgment of the senate.

The question was: Adoption of senate amendment 21?

Adopted.

The question was: Adoption of senate amendment 22?

Senator Strohl moved rejection of senate amendment 22.

The question was: Rejection of senate amendment 22?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chvala, Cullen, Czarnetzki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Strohl, Ulichny and Van Sistine -- 19.

Noes -- Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Leraan, Lorman, McCallum, Stitt and Theno -- 14.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 23?

Senator Cullen raised the point of order that senate amendment 23 was not germane.

The chair ruled the point of order well taken.

Senator Harsdorf appealed the ruling of the chair.

The question was: Shall the decision of the chair stand as the judgment of the senate?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chvala, Cullen, Czarnetzki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 18.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Leraan, Lorman, McCallum, Rude, Stitt and Theno -- 14.

Absent or not voting -- Senator Andrea -- 1.

So the decision of the chair shall stand as the judgment of the senate.

Senate amendment 24 offered by Senators Chilsen, Harsdorf, Rude and Kreul.

The question was: Adoption of senate amendment 24?

Senator Cullen raised the point of order that senate amendment 24 was not germane.

The chair ruled the point of order well taken.

Senator Chilsen appealed the ruling of the chair.

The question was: Shall the decision of the chair stand as the judgment of the senate?

The ayes and noes were required and the vote was: ayes, 20; noes, 13; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnetzki, Feingold, George, Helbach, Kincaid, Lee, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 20.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Leraan, Lorman, Rude, Stitt and Theno -- 13.

Absent or not voting -- None.

So the decision of the chair shall stand as the judgment of the senate.

By request of Senator Andrea, with unanimous consent, the journal showed that he would have voted "aye" to uphold the ruling of the chair on germaneness of senate amendment 23.

Senate amendments 25, 26 and 27 offered by Senator Harsdorf.

The question was: Adoption of senate amendment 25?

Senator Strohl raised the point of order that senate amendment 25 was not germane.

The chair ruled the point of order well taken.

The question was: Adoption of senate amendment 26?

Senator Cullen raised the point of order that senate amendment 26 was not germane.

The chair ruled the point of order well taken.

The question was: Adoption of senate amendment 27?

By request of Senator Harsdorf, with unanimous consent, senate amendment 27 was returned to the author.

The question was: Reconsideration of the vote by which senate amendment 8 was adopted?

The motion prevailed.

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Senate amendment 1 to senate amendment 8 offered by Senator Engeleiter.

The question was: Adoption of senate amendment 1 to senate amendment 8?
Adopted.

The question was: Adoption of senate amendment 8?

Senator Czarnecki moved rejection of senate amendment 8.

The question was: Rejection of senate amendment 8?

Senator Strohl asked unanimous consent that senate amendment 8 be laid on the table.

Senator Engeleiter objected.

Senator Strohl moved that senate amendment 8 be laid on the table.

The question was: Shall senate amendment 8 be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnecki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 19.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Lekan, Lorman, McCallum, Rude, Stitt and Theno -- 14.

Absent or not voting -- None.

So the motion prevailed.

The question was: Reconsideration of the vote by which senate amendment 16 failed to be adopted?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 19; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chvala, Czarnecki, Davis, Ellis, Engeleiter, George, Hanaway, Lee, McCallum, Norquist, Plewa, Risser and Stitt -- 14.

Noes -- Senators Andrea, Chilsen, Cullen, Feingold, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lekan, Lorman, Moen, Otte, Roshell, Rude, Strohl, Theno, Ulichny and Van Sistine -- 19.

Absent or not voting -- None.

So the motion did not prevail.

Senator Strohl asked that the vote by which senate amendment 5 was adopted be reconsidered.

Senator Lasee objected.

The question was: Reconsideration of the vote by which senate amendment 5 was adopted?

The motion prevailed.

Senate amendment 3 to senate amendment 5 offered by Senators Strohl and Czarnecki.

The question was: Adoption of senate amendment 3 to senate amendment 5?

Adopted.

The question was: Adoption of senate amendment 5?
Adopted.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 1, Special Session

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 2; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lekan, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Strohl, Theno, Ulichny and Van Sistine -- 31.

Noes -- Senators Lee and Stitt -- 2.

Absent or not voting -- None.

So the bill was concurred in as amended.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

By request of Senator Cullen, with unanimous consent, the rules were suspended and **Senate Joint Resolution 1, Special Session** was considered at this time.

Senate Joint Resolution 1, Special Session

Relating to the final adjournment of the March 1986 special session.

Read.

Considered as privileged and taken up.

Adopted.

Upon motion of Senator Cullen the senate adjourned pursuant to **Senate Joint Resolution 1, Special Session**.

11:58 P.M.